

**Notice of Allowability**

Application No.

09/668,316

Applicant(s)

ZEEVI ET AL.

Examiner

Art Unit

Qamrun Nahar

2191

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on 2/15/05.
2. ☒ The allowed claim(s) is/are 1,2,5-10 and 13-16.
3. ☒ The drawings filed on 29 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets" ) must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948 ) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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1. This action is in response to the RCE filed on 2/15/05.
2. The objection to claim 10 is withdrawn in view of applicant's amendment.
3. The rejection under 35 U.S.C. 103(a) as being unpatentable over Rezvani (U.S. 6,686,838) in view of Perugini (U.S. 5,896,494) to claims 1-2, 5-6, 9-10 and 13-14 is withdrawn in view of applicant's amendment and remarks/arguments.
4. The rejection under 35 U.S.C. 103(a) as being unpatentable over Rezvani (U.S. 6,686,838) in view of Perugini (U.S. 5,896,494), and further in view of Sakai (U.S. 6,732,262) to claims 7-8 and 15-16 is withdrawn in view of applicant's amendment and remarks/arguments.
5. Claims 1, 9 and 10 have been amended.
6. Claims 1-2, 5-10 and 13-16 are pending.
7. Claims 1-2, 5-10 and 13-16 are allowed.

#### **EXAMINER'S AMENDMENT**

8. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James R. Bell (Reg. No. 26,528) on March 23, 2005.

The application has been amended as follows:

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**In the Specification:**

Please replace the paragraph on page 3, lines 1-7, with the following marked-up replacement paragraph:

Computer systems typically include an operating system and platform firmware and may include an interface between the operating system and the platform firmware. One such interface is described in the Extensible Firmware Interface Specification (hereafter “EFI”), version 0.99, April 19, 2000 published by Intel Corporation, 2200 Mission College Blvd., Santa Clara, CA 95052, (408) 765-8080, ~~http://www.intel.com, Intel order # 731843-001,~~ and incorporated by reference herein. Although EFI may be used in booting a computer system, it would be desirable to be able to use EFI in a diagnostic architecture.

- END -

**REASONS FOR ALLOWANCE**

9. The following is an examiner’s statement of reasons for allowance:

The cited prior art taken alone or in combination fail to teach, in combination with the other claimed limitations, in response to the test module seeking to unload, accessing the registration module to determine what other programs are registered as using the test module; notifying each of the programs to stop using the test module; each program responding that they have stopped using the test module or are still using the test module; the test module causing itself to unload in response to programs responding that using the test module is stopped; and the

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test module cancelling unloading in response to programs responding that the test module is being used, whereby the test module may unload at a later time as recited in independent claims 1 and 9.

The closest cited prior arts, the combination of Rezvani (U.S. 6,686,838), Perugini (U.S. 5,896,494), and Sakai (U.S. 6,732,262) teaches a method of dynamically reinstalling an associated test module interface at anytime without rebooting the computer system. However, the combination of Rezvani (U.S. 6,686,838), Perugini (U.S. 5,896,494), and Sakai (U.S. 6,732,262) fails to teach in response to the test module seeking to unload, accessing the registration module to determine what other programs are registered as using the test module; notifying each of the programs to stop using the test module; each program responding that they have stopped using the test module or are still using the test module; the test module causing itself to unload in response to programs responding that using the test module is stopped; and the test module cancelling unloading in response to programs responding that the test module is being used, whereby the test module may unload at a later time as recited in independent claims 1 and 9; and as pointed out by the applicant's remarks/arguments on pg. 9, par. 3 to pg. 10, par. 5.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

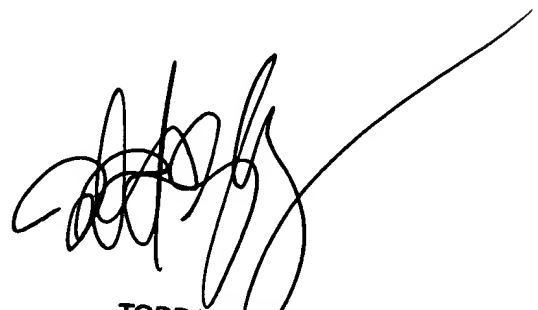
10. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (571) 272-3719. The fax phone number for the organization where this application or processing is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Qamrun Nahar  
March 23, 2005



TODD INGERBERG  
PRIMARY EXAMINER